

REMARKS

Reconsideration and allowance are respectfully requested.

The amendments proposed in this Response address the issues on pages 2-4 of the office action. No new matter has been added. Entry and allowance are requested.

Claim 1 is patentable under 35 U.S.C. 103(a) over Fischer (US 4,421,027) in view of Johne (GB 2 119 711 A).

Fischer relates to a printing unit in an offset machine having a damper unit (11) which could be arranged in different positions thereby transferring water to the plate cylinder of the blanket cylinder. The Fischer damping system may be filled with ink rather than water.

Johne relates to a unit that could be used as a coating unit and as a moistening unit. The printing unit comprises a wiper (12). Instead of the wiper (12), Johne teaches using a counter-rotating metering roller (13) (see page 1, lines 104-105). Johne's teaches that the wiper (12) and/or roller (13) is only for wiping off surplus moistening agent/ink (see page 2, lines 4-6).

Contrary to the Examiner's reading, Johne does not describe, teach, nor suggest a doctor blade; and the wiper (12)/roller (13) is not, and cannot be, a doctor blade. Therefore, the combined teachings of Fischer and Johne do not teach nor suggest the claimed invention with its unique doctor blade defined in all the claims.

That [the prior art] might incorporate elements which could

be used in appellants' system does not render appellants' claims obvious when there is no suggestion of using these elements in substantially the same manner as appellants use them. In re Donovan, 184 USPQ 414, 421 (CCPA, 1975).

As uniquely provided in the present invention, the doctor blade supplies the coating and/or the water. The transfer roller is used for "transferring coating or water from the doctor blade". This is novel and contrary to the Fischer and Johne teachings which must provide coating or water from a trough. Thus, the references lead away from the present invention.

Citing In re Gordon, 221 USPQ, 1127, the court pointed out, "the mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification". In re Fritch, 23 USPQ2d 1783, 1784 (CAFC, August 1992).

The Fischer and Johne teachings would lead one of ordinary skill in the art to provide the wiping means, e.g. wiper blade or counter roller, in an arrangement that counteracts with the doctor (1) which should be in constant contact with a moistening agent/ink in a box (2) (see Johne, page 1, lines 95-98). Johne is totally silent on the wiper mechanism being replaceable with a doctor blade comprising a chamber from which coating or water is transferred to the blanket and plate cylinders.

"It is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings

of the prior art so that the claimed invention is rendered obvious." In re Fritch, 23 USPQ2d 1783, 1784 (CAFC, August 1992), quoting from In re Gorman, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991). "This court has previously stated that one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." Id. quoting from In re Fine, 5 USPQ2d 1600 (CAFC, 1988).

Because Fischer and Johne do not teach nor suggest the claimed invention, claim 1 is patentable over the references.

Claim 2 is patentable over Fischer, Johne, and Stapleford (GB 1 138 055). Claims 3, 5, and 7-9 are patentable over Fischer, Johne and Kiyoshi (JP 59209875). Claim 4 is patentable over Fischer, Johne, Kiyoshi and Schutz (GB 2 327 196 A). Claim 6 is patentable over Fischer, Johne, Kiyoshi, and Stapleford.

As pointed out above, Fischer and Johne do not teach nor suggest the claimed invention. Therefore any further combination with other references will also lead away from the present claims. also, claim 1 is patentable over the references, making all the dependent claims also patentable.

Kiyoshi may enable the bringing of the transfer roller in contact with the plate cylinder, but nothing in the combined teachings of all the references provides the uniquely claimed doctor blade unit that transfers the coating and/or water to the blanket and/or plate cylinders.

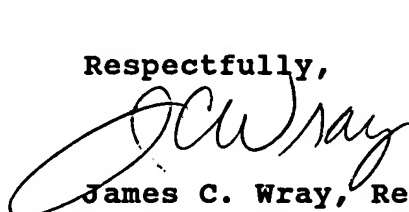
It is impermissible to use an applicant's claim as a springboard for hunting through the prior art for the claimed

elements and for combining the found elements as claimed in the application. In re Vaeck, 20 USPQ2d 1438 (Fed. Cir. 1991).

Nothing in the references, either singly or in combination, teaches or suggests the claimed features. Therefore, the references cannot anticipate nor render obvious the present invention as claimed.

Since Applicant has presented a novel, unique and non-obvious invention, reconsideration and allowance are respectfully requested.

Respectfully,

A handwritten signature in black ink, appearing to read "J. C. Wray", with a long horizontal stroke extending to the right.

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